

**Remarks**

The Office Action mailed March 4, 2004 and made final has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-11, 13-17, and 19-22 are now pending in this application, of which claims 7, 19 and 21 have been amended. Claims 12, 18 and 23 have been cancelled. It is respectfully submitted that the pending claims define allowable subject matter.

Applicants respectfully request reconsideration and withdrawal of the objection to the drawings in light of the following.

In the Response to Arguments section of the Final Office Action, it is asserted that:

Claims 6, 12, and 16 are directed to the embodiment of a fuse disconnect switch having a single fuse (12) comprising a single fuse housing (32). Therefore such a fused disconnect switch having a single fuse in a single fuse housing and having two primary fuse links connected in parallel must be shown on the drawings so as to comply with the subject matter of claims 6, 12 and 16.

Final Office Action dated March 4, 2004 page 7. In response, Applicants note the following.

Claim 12 has been cancelled and the drawing objection as it relates to claim 12 is now moot.

Claims 6 and 16 depend from claims 1 and 13, respectively, and contrary to any suggestion otherwise, claims 1 and 13 are not expressly limited to a single fuse in a single fuse housing. Applicants note that the recited recitations pertaining to the retractable fuse per claims 1 and 13 each recite an open-ended transition of "comprising" and not a closed transition such as "consisting of." By virtue of the open ended transition of comprising, the recitation may and does read upon other structures which, in addition to the claimed elements, include other unclaimed elements. Thus, when properly construed, claims 1 and 13 read on the fuse embodiments illustrated in Figures 1 and 2 and read on the fuse embodiments of Figures 7, 9 and

10. In other words, the claimed subject matter of claims 1 and 13, which claims 6 and 16 incorporate by dependency, encompasses the fuse embodiments of each of the groups of Figures in the application, including the embodiments of Figure 2 and Figure 9. Thus, the assertion that claims 6 and 16 correspond to different embodiments than their base claims is not supported by the language of the base claims (i.e., claims 1 and 13). While the latter Figures may illustrate, for example, two fuse links, claims 1 and 6 or claims 13 and 16 each read on the embodiments in the Figures having two fuse links. The subject matter of claims 6 and 16 is therefore fully demonstrated in the Figures and the objection to the drawings is respectfully submitted to be predicated upon a misreading of the claims.

With respect to the assertion that Figure 9 does not depict fuse links connected in parallel. Applicants note that, as explained in the specification, when the line and load-side terminals of each of the housings are connected to common buses, the fuse links illustrated in Figure 9 would be electrically connected in parallel. In addition, at least paragraph [0049] describes common line side and load side terminals for each of the housings. It is respectfully submitted that such parallel connection of the fuse links is readily understood from Figure 9 and the specification without further explanation or illustration.

Applicants accordingly request that the objection to the drawings be reconsidered and withdrawn.

The rejection of claims 7 and 8 under 35 U.S.C. § 102(b) as being anticipated by Poehlman (U.S. Patent No. 3,432,789) is respectfully traversed.

Claim 7 has been amended to include the recitations of former dependent claim 12, now cancelled, which was indicated in the Final Office Action as reciting allowable subject matter. Claim 7 is therefore submitted to be patentable over the cited art.

Claim 8 depends from claim 7, and when the recitations of claim 8 are considered in combination with the recitations of claim 7, claim 8 is likewise submitted to be patentable over the cited art.

For the reasons set forth above, Applicants respectfully request that the Section 102 rejection of claims 7 and 8 be withdrawn.

The rejection of claim 18 under 35 U.S.C. § 102(b) as being anticipated by Tanigawa (U.S. Patent No. 5,755,940) is respectfully traversed. Claim 18 is cancelled, and Applicants accordingly request that the Section 102 rejection of claim 18 be withdrawn.

The rejection of claim 10 under 35 U.S.C. § 103 as being unpatentable over Poehlman is respectfully traversed.

Claim 10 depends from independent claim 7, which for the reasons set forth above is submitted to be patentable over cited art. When the recitations of claim 10 are considered in combination with the recitations of claim 7, Applicants submit that dependent claim 10 likewise is patentable over the cited art.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of claim 10 be withdrawn.

The rejection of claim 9 under 35 U.S.C. § 103 as being unpatentable over Poehlman in view of LeVantine (U.S. Patent No. 6,002,580) is respectfully traversed.

Claim 9 depends from claim 7 which is submitted to be patentable over the cited art. When the recitations of claim 9 are considered in combination with the recitations of claim 7, Applicants submit that claim 9 is likewise patentable over the cited art.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of claim 9 be withdrawn. The rejection of claim 23 under 35 U.S.C. § 103 as being

unpatentable over Tanigawa in view of Marach et al. (U.S. Patent No. 5,355,274) is respectfully traversed.

Claim 23 is cancelled, and Applicants accordingly request that the Section 103 rejection of claim 23 be withdrawn.

The objection to claims 11, 12, 15 and 19-23 as being dependent upon rejected base claims is respectfully traversed.

Claims 12 and 23 are cancelled.

Claim 11 depends from claim 7, which is submitted to be patentable over the cited art for the reasons set forth above.

Claim 15 was indicated as allowed, and the objection to claim 15 is believed to be in error.

Claim 19 has been rewritten into independent form and is now submitted to be allowable. Claim 20 depends from claim 19, and when the recitations of claim 20 are considered in combination with the recitations of claim 19, claim 20 is likewise submitted to patentable over the cited art.

Claim 21 has been rewritten into independent form and is now submitted to be allowable. Claim 22 depends from claim 21, and when the recitations of claim 22 are considered in combination with the recitations of claim 21, claim 21 is likewise submitted to patentable over the cited art.

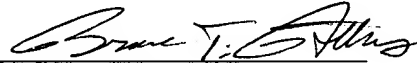
Applicants accordingly request that the objection to claims 11, 12, 15 and 19-23 be withdrawn.

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In view of the foregoing remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Bruce T. Atkins", written over a horizontal line.

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